

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

THOMAS M. MCDONALD, et al.,

Plaintiffs,

vs.

STEVEN C. PALACIOS, et al.,

Defendants.

Case No. 2:09-cv-01470-KJD-PAL

**ORDER**

(Substitution of Counsel - Dkt. #83)

This matter is before the court on a Substitution of Attorneys (Dkt. #83) filed March 27, 2012. Plaintiff/Counter-Defendant Thomas M. McDonald and Third Party Defendants Barbara McDonald, Brian Bailes, and Conrad Holdings, Inc. seek to substitute Thomas G. Grace in the place and stead of Tisha Black Chernine as counsel of record. LR IA 10-6(c) requires that any stipulation to substitute attorneys shall be by leave of court and shall bear the signature of the attorneys and the client represented. It provides that the signature of an attorney to substitute into a case “constitutes an express acceptance of all dates then set for pretrial proceedings, for trial or hearing, by the discovery plan, or in any court order.” LR IA 10-6(d) also provides that the substitution of an attorney “shall not alone be reason for delay of pretrial proceedings, discovery, the trial, or any hearing in this case.” The Complaint (Dkt. #1) was filed on August 6, 2009. The district judge entered an Order (Dkt. #77) granting Plaintiff Thomas McDonald’s Motion for Partial Summary Judgment (Dkt. #54) and dismissing several of Defendants’ counterclaims, denying Counterclaimants’ and Third Party Plaintiffs’ Counter-Motion for Summary Judgment (Dkt. #63), and granting Third Party Leonard S. Krick’s Motion to Dismiss (Dkt. #58). There is currently a Motion for Reconsideration (Dkt. #78) regarding that Order (Dkt. #77) under submission to the district judge.

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1 Having reviewed and considered the matter,

2 **IT IS ORDERED** that Plaintiffs' request to substitute Thomas G. Grace in the place and stead  
3 of Tisha Black Chernine is GRANTED, subject to the provisions of LR IA 10-6(c) and (d).

4 Dated this 28th day of March, 2012.

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7 PEGGY A. LEEN  
8 UNITED STATES MAGISTRATE JUDGE  
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